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# Senate Resolution OB-14F-2818 Title IV Revisions, Reformation of Passage

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*University of North Florida*

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Student  
Government  
University of North Florida

# SENATE LEGISLATION

## OB-14F-2818

### *OB-14F-2818: Reformation of Passage*

- 1  
2 Whereas: The Student Government of the University of North Florida was established to represent  
3 student concerns in all University wide matters, and;  
4 Whereas: The Student Senate is the legislative body of the Student Government of the University of  
5 North Florida entrusted to enact statutory revisions when necessary and proper, and;  
6 Whereas: There has been considerable confusion revolving around the legislative process involving the  
7 term "passage" as it pertains to the actions of the Student Senate as defined by the Judicial  
8 Council of the Student Government of the University of North Florida through legally binding  
9 opinion, and;  
10 Whereas: The following Titles are in need of revision to ensure their complaisance with the Student  
11 Government Constitution.  
12 Therefore: The following necessary and proper revisions to the Student Government System of Statutes are  
13 being proposed:

### TITLE IV: THE LEGISLATIVE BRANCH

#### Chapter 403: Form of Legislation

##### 403.1 Joint Resolutions

Joint Resolutions shall be formal expressions of the opinion or will of the Senate and the Executive Branch. Joint Resolutions must shall be passed adopted by majority vote of the Senate and approved by the SG President to become effective.

##### 403.2 Simple Resolutions

Simple Resolutions shall be formal expressions of the opinion or will of the Senate. Simple Resolutions shall also be able to set the policies and procedures of the Senate, and shall only be enforceable within the Senate. Simple Resolutions must shall be adopted-passed by a two-thirds (2/3) vote of the Senate to become effective.

##### 403.3 Bills

Bills shall be legislative proposals to appropriate monies, adopt statutory amendments and revisions and other legislative proposals that must be passed by appropriate vote of the Senate and approved by the SG President to become effective.

##### 403.4 Constitutional Referendums



# SENATE LEGISLATION

## OB-14F-2818

### *OB-14F-2818: Reformation of Passage*

A. Any legislation calling for the amendment of the Constitution shall be referred to as a Constitutional Referendum and shall be subject to following legislative process.

1. Constitutional Referendums shall first be passed by the Constitution and Statutes Committee before being forwarded to Senate.

2. Constitutional Referendums shall be subject to normal parliamentary motions.

3. Constitutional Referendums shall be passed by a (3/4) vote of the Senate.

4. Once passed through Senate, Constitutional Referendums shall be signed by the Senate President and forwarded directly to the Elections Commissioner to be placed on the ballot during the next general election.

B. This chapter only defines the manner in which Senate can propose the amendment of the Constitution. Article VI of the Constitution details all other ways amendments to the Constitution may be made.

#### 403.5 Composition of Bills and Resolutions

Each Bill and Resolution shall contain the following:

A. Title and Subject

1. The subject of each bill shall be briefly expressed in its title.

2. If a bill embraces more than one subject, it shall be defined as an Omnibus Bill. A majority vote ~~shall be~~ is required by the Senate Committee to ~~pass~~ accept an Omnibus Bill, and a two-thirds (2/3) vote ~~shall be~~ is required by the Senate for final passage.

B. Legislative Intent

1. The legislative intent of the bill shall be included in the body of the bill or resolution.



# SENATE LEGISLATION

## OB-14F-2818

### *OB-14F-2818: Reformation of Passage*

- 2.
2. The legislative intent shall state the purpose and intent of that bill or resolution.

#### C. Enacting Clause

There shall be an enacting clause on every bill or resolution proposed by the Senate

#### D. Effective Date

1. All resolutions shall be exempt from having an effective date.
2. All Bills shall be effective upon passage with the exception of changes to Title VIII which shall be effective on July 1<sup>st</sup>, at the start of our fiscal year.
3. The effective date of a Bill can be changed with a two-thirds (2/3) Senate approval.

#### E. Senate Sponsor

All bills, resolutions, or Constitutional Referendums shall have a Senate Sponsor, who shall be from within the Senate

### **Chapter 408: Maintenance of Legislative Records**

408.1 The Senate President shall be ultimately responsible for the complete and accurate records of the actions and proceedings of the Senate and its five standing committees.

408.2 These records shall include any of the following: agendas of Senate and committee meetings, minutes of Senate and committee meetings, records of attendance for all Senate and committee meetings, records of passed legislation passed by the Senate, and any audio or video recordings of Senate or committee meetings.

408.3 Requests for copies of any of the above documents can be made through the following process:

- A. The request must be made in writing to the Senate President.



# SENATE LEGISLATION

## OB-14F-2818

### OB-14F-2818: Reformation of Passage

- B. Upon making the request, the Senate President shall make the appropriate copies of the document or recording and notify the requestor upon completion of the duplication process.

#### 408.4 Legislative Records

- A. All records of the Legislative Branch, including but not limited to voting records, attendance records, bills, and minutes shall be made available online within two (2) business days of becoming effective.

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- A. ~~All records from Senate and Committee meetings of the previous three (3) years shall be made available online. Records shall consist of, but not limited to, voting records, attendance records, and bills. The Constitution and Statutes Chair must, upon passage of a bill through the Senate revising statute, submit an updated version of statute to the Senate President. All The records must be turned into the Senate Secretary to be made available online Webmaster within 11 business days from the Senate President.~~

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## TITLE VII: THE ENFORCEMENT STATUTE

### Chapter 703: Impeachment

- 703.1 In accordance with the Student Government Constitution, Article VII Section 1, any member of Student Government shall be removed from office through impeachment if Articles of Impeachment are enacted passed, according to law, against them.

#### 703.2 Articles of Impeachment shall:

- A. Be addressed concerning a single individual beginning with the phrase, "By order of (insert appropriate authorities) the following Student Government member, (insert name of member being impeached along with their title) is hereby impeached from office under the following articles:"



# SENATE LEGISLATION

## OB-14F-2818

### *OB-14F-2818: Reformation of Passage*

- B. Contain a section enumerating the grounds on which the Student Government member is being impeached, and;
- C. Contain a section summarizing the charges levied that constitute grounds for removal along with any evidence brought forward, and;
- D. Conclude with an enactment clause that resolves the decision of the proper authorities as outlined under Chapters 703.3, 703.4, and 703.5 allowing the Articles to take effect immediately upon passage.

#### 703.3 Impeachment of an Executive Branch member:

- A. The Judicial Council may choose to recommend that the Senate pass ~~adopt~~ Articles of Impeachment against a member of the Executive Branch convicted under a Judicial Complaint as part of their sentencing measures.
  - 1. If Articles of Impeachment are recommended by the Judicial Council, the recommendation shall be forwarded to the Senate to be placed on the agenda of the next upcoming Senate meeting, if possible. The Senate President shall subpoena the convicted to appear before the Senate when the recommendation is heard to answer to the charges held against them therein.
  - 2. The Senate shall hold the Subpoena Hearing within the next upcoming meeting, if no confirmed class conflict exists for the accused officer, after which a motion to approve ~~adopt~~ Articles of Impeachment may be made. Passage Adoption may only occur by two-thirds (2/3) vote.
  - 3. If the Articles of Impeachment are passed ~~adopted~~ by the Senate, the impeached officer shall be removed from office immediately.
- B. Any Senator may choose to present Articles of Impeachment against a member of the Executive Branch before the full Senate.
  - 1. If Articles of Impeachment are presented the presiding officer shall immediately call for a motion to hear the Articles, then;
  - 2. If the motion to hear the Articles passes by majority vote, the Senate President shall subpoena the accused to appear before the Senate



# SENATE LEGISLATION

## OB-14F-2818

### *OB-14F-2818: Reformation of Passage*

when the Articles are to be heard to answer to the charges alleged against them therein, then;

3. The Senate shall hold the Subpoena Hearing within the next upcoming Senate meeting, if no confirmed class conflict exists for the accused officer, after which a Senator may motion to approve ~~adopt~~ the Articles of Impeachment. PassageAdoption may only occur by two-thirds (2/3) vote.
4. If the Articles of Impeachment are adopted by the Senate, they shall be forwarded to the Judicial Council. The Council shall call and hold a Judicial Review Hearing to review the Articles. The accused must appear before the Council when the Articles are to be heard. The Judicial Review Hearing shall occur during or before the next upcoming Judicial Council meeting following the passageadoption of the Articles of Impeachment by the Senate. Reasonable accommodation shall be made for the accused officer.
5. Following the Judicial Hearing, a Justice may motion to adopt the Articles of Impeachment. Adoption may occur by majority vote.
6. If the Articles of Impeachment are adopted by the Judicial Council, the impeached officer shall be removed from office immediately.

#### 703.4 Impeachment of a Legislative Branch member

- A. The Judicial Council may choose to recommend that the Senate passadopt Articles of Impeachment against a member of the Legislative Branch convicted under a Judicial Complaint as part of their sentencing measures.
  1. If Articles of Impeachment are recommended by the Judicial Council, the recommendation shall be forwarded to the Senate to be placed on the agenda of the next upcoming Senate meeting, if possible. The Senate President shall subpoena the convicted to appear before the Senate when the recommendation is heard to answer to the charges held against them therein.
  2. The Senate shall hold the Subpoena Hearing, after which a Senator may motion to approveadopt the Articles of Impeachment. PassageAdoption may only occur by two-thirds (2/3) vote.



# SENATE LEGISLATION

## OB-14F-2818

### *OB-14F-2818: Reformation of Passage*

3. If the Articles of Impeachment are ~~passed~~adopted by the Senate, the impeached officer shall be removed from office immediately.
- B. Any Senator may choose to present Articles of Impeachment against a member of the Legislative Branch before the full Senate.
  1. If Articles of Impeachment are presented the presiding officer shall immediately call for a motion to hear the Articles, then;
  2. If the motion to hear the Articles passes by majority vote, the Senate President shall subpoena the accused to appear before the Senate when the Articles are to be heard to answer to the charges alleged against them therein, then;
  3. The Senate shall hold the Subpoena Hearing within the next upcoming Senate meeting, if no confirmed class conflict exists for the accused officer, after which a Senator may motion to ~~approve~~adopt the Articles of Impeachment. ~~Passage~~Adoption may only occur by two-thirds (2/3) vote.
  4. If the Articles of Impeachment are ~~passed~~adopted by the Senate, they shall be forwarded to the Judicial Council. The Council shall call and hold a Judicial Review Hearing to review the Articles. The accused must appear before the Council when the Articles are to be heard. The Judicial Review Hearing shall occur during or before the next upcoming Judicial Council meeting following the adoption of the Articles of Impeachment by the Senate. Reasonable accommodation shall be made for the accused officer.
  5. Following the Judicial Subpoena Hearing, a Justice may motion to adopt the Articles of Impeachment. Adoption may occur by majority vote.
  6. If the Articles of Impeachment are adopted by the Judicial Council, the impeached officer shall be removed from office immediately.

#### 703.5 Impeachment of a Judicial Branch Member

- A. Any Senator may choose to present Articles of Impeachment against a member of the Judicial Branch before the full Senate.





# SENATE LEGISLATION

## OB-14F-2818

### *OB-14F-2818: Reformation of Passage*

1. If Articles of Impeachment are presented the presiding officer shall immediately call for a motion to hear the Articles, then;
  2. If the motion to hear the Articles passes by majority vote, the Senate President shall subpoena the accused to appear before the Senate when the Articles are to be heard to answer to the charges alleged against them therein, then;
  3. The Senate shall hold the Subpoena Hearing within the next upcoming meeting, after which a Senator may motion to approve the Articles of Impeachment. Passage Adoption may only occur by two-thirds (2/3) vote.
  4. If the Articles of Impeachment are passed ~~adopted~~ by the Senate, they shall be forwarded to the President for approval ~~passage~~ or veto within five (5) business days.
  5. If the Articles of Impeachment are approved ~~passed~~ by the President, the impeached officer shall be removed from office immediately.
  6. If the President vetoes the Articles of Impeachment, they shall return to the Senate and be placed on the agenda of the next upcoming Senate meeting.
  7. The Senate may, by three-fourths (3/4) vote, chose to override the President's veto and pass ~~adopt~~ the Articles of Impeachment.
  8. Should the Senate override the President's veto and pass ~~adopt~~ the Articles of impeachment by three-fourths (3/4) vote, the impeached officer shall be removed from office immediately.
- B. The President may choose to submit Articles of Impeachment against a member of the Judicial Branch to the Senate President.
1. If the President submits Articles of Impeachment to the Senate President, her or she shall subpoena the accused to appear before the Senate at the next upcoming Senate meeting, if no confirmed class conflict exists for the impeached officer, then;
  2. The Senate shall hold the Subpoena Hearing within the next upcoming meeting, if possible, after which a Senator may motion to



# SENATE LEGISLATION

## OB-14F-2818

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### OB-14F-2818: Reformation of Passage

approve the Articles of Impeachment. ~~Passage~~ ~~Adoption~~ may only occur by two-thirds (2/3) vote.

3. If the Articles of Impeachment are ~~passed~~ ~~adopted~~ by two-thirds (2/3) vote of the Senate, the impeached officer shall be removed from office immediately.

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### TITLE VIII: THE FINANCE CODE

#### Chapter 816: SG Treasurer

- 816.1 The SG Treasurer shall enforce all fiscal policies of Student Government as set forth in this title, in the Provisionary Language of the current year's A&S Fee Budget, and in Policies and Procedures passed by the Senate, and enacted by the President.

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### TITLE XI: THE EXECUTIVE AGENCY STATUTE

#### Chapter 1100: Executive Agency Statute

##### 1100.8 Forming an Executive Agency

- A. The forming of an executive agency, as follows, is a process that can occur only with the express approval of the President.
- B. An agency proposal consisting of both a budgetary and constitutional component shall be submitted to the Senate President and added to the agenda under Legislation considered for 1<sup>st</sup> Reading for the next regularly-scheduled Senate meeting.
- C. The proposal's budgetary and constitutional components are to be forwarded to the Budget and Allocations Committee and the Constitution and Statues Committee, respectively.
  - 1: The budgetary component must outline estimated costs for one fiscal year and can be composed with the assistance of the SG Business Manager, Treasurer, Agency Advisor, and/or Budget and Allocations Chair. The Budget and Allocations Committee shall review and vote on the proposed



# SENATE LEGISLATION

## OB-14F-2818

### *OB-14F-2818: Reformation of Passage*

budget, but refrain from appropriating funds until the formation process has been completed.

2. The Constitution and Statutes Committee will review and vote on the constitutional component.

3. If both components of the agency proposal are passed by the respective committees, the revised proposal shall be added to the agenda under Legislation considered for 2<sup>nd</sup> Reading for the next regularly-scheduled Senate Meeting.

D. The proposal must be passed approved by the Senate before the conclusion of the budget deliberation process for the upcoming fiscal year.

1. The agency proposal requires a two-thirds (2/3) vote of the Senate to pass.

2. If passed, the agency proposal must be signed by the President.

E. The agency proposal, once properly passed through the legislative process, will officially create an executive agency of Student Government.

F. Once formed, the agency shall be placed on probationary status for two years.

1. During the probationary period, the Agency must follow all statutory rules and present a monthly report to the Budget and Allocations Committee and the Senate.

2. Three successful noncompliance strikes against the newly formed agency shall result in its termination in accordance with Chapter 1100 Section 1100.5: Termination.

### Chapter 1104: Club Alliance

#### 1104.7 Club Funding Processes



# SENATE LEGISLATION

## OB-14F-2818

### *OB-14F-2818: Reformation of Passage*

RSO's may choose between the following funding processes outlined in 1104.7 and 1104.8, given they comply with the regulations outlined herein and any further regulations enacted through the Club Handbook.

#### A. Club Funding Process (A)

1. The Director of Club Alliance shall establish the Club Funding Board by September 1, which shall consist of six (6) members; including the Club Alliance Director, Club Alliance Assistant Director, Club Alliance Student Coordinator selected by the Director, Budget & Allocations Chairman, Treasurer, and a Senator appointed by the President.
2. The Club Funding Board will meet bi-weekly or as deemed necessary by the chair.
3. According to University policy, registration expires July 1 for all clubs. Returning RSOs that renew University recognition for the new school year shall be automatically allocated an equal lump-sum budget of at least \$225 for that fiscal year; the amount to be determined by the previous year's funding board. Clubs must be in existence a minimum of one (1) semester to be eligible for funding, and one (1) year to be eligible to Special Request additional funding either through the Club Funding Board, a Special Request, or Conference Travel Request through the Student Senate.
4. Qualifying RSOs desiring funds in excess of the annual lump-sum budget may submit a request to the funding board for a supplementary allocation of up to \$200; such requests can be made at any time as needed throughout the year.
5. Any request approved by the Club Funding Board is subject to the final signature of the President. All actions should be acted upon within five (5) business days or— shall become effective absent Executive Action, assumed passed.
6. Any decisions regarding requests allocated by the Club Funding Board may be appealed to the President, whose decision is final, within three (3) business days or be forever barred.

#### B. Club Funding Process (B)

1. The Club Budget Committee, hereinafter referred to as the CBC,



Student  
Government  
University of North Florida

# SENATE LEGISLATION

## OB-14F-2818

### OB-14F-2818: Reformation of Passage

shall be comprised of a Chairman and four members appointed by the President and an additional four members appointed by the Senate President. Each member shall have one vote, with the exception of the chair who shall vote in the case of a tie.

2. The CBC shall meet, at the direction of the Chair, and hear requests for an annual budget, for the following fiscal year, from all clubs who chose this program and who present before the CBC.
3. The CBC shall propose a balanced club budget to the President, who shall have five (5) days after receipt to either approve or reject the proposal. If the President rejects the budget or any portion therein, the budget shall be sent back to the CBC, who shall make a proposal after reviewing the prior budget submissions.
4. After the approval of the club by the President, the budget may only be amended via a proposal from the CBC forwarded to the President, who shall have five (5) business days to either approve or reject the proposal.
5. Clubs must be registered with Club Alliance and in good standing for at least one (1) year to be eligible for this process.
6. Each club who receives funding through this process must register with Club Alliance and submit all paperwork necessary to receive club funding within a reasonable time from the start of the fiscal year, else they shall forfeit their budget and be allocated funding under Club Funding Process (A).

Therefore: Let it be enacted, by the University of North Florida Student Government that the aforementioned necessary and proper revisions to the Student Government System of Statutes shall be made effective immediately.

#### Legislative Action

Author: Senator Grantham and Attorney General Harris

Sponsor: Senator Grantham

Committee: Constitution and Statutes

Committee Action: Passed 4-0-0

Senate Action: 24-0-2

Date of Action: November 24, 2014

Signed and Delivered to the Student Body President  
on this 3<sup>rd</sup> day of December, 2014.

Place Time Stamp Here

DEC 3 PM 12:55

**Chase A. Baker**

Signed:

Chase A. Baker, Student Senate President

#### Executive Action

Let it be known that OB-14F-2818 is hereby

APPROVED VETOED

on this 3<sup>rd</sup> day of December 2014

**Joseph C. Turner**

Signed,

Joseph C. Turner, Student Body President

Signed and Delivered to the Senate Secretary

Place Time Stamp Here

DEC 4 AM 9:59